

**FY 2010 Chapter 59 Asset Forfeiture Report
by Attorney Representing the State
(Multi-County Jurisdiction)**

Agency Name: _____ Reporting Period: _____
(example: 9/1/09- 08/31/10)

Agency Mailing Address: _____

County: _____ (If multi-county district, list all counties within jurisdiction)

Phone number: _____

Email Address _____ (This should be a permanent agency email address)

NOTE: PLEASE ROUND ALL DOLLAR AMOUNTS TO NEAREST WHOLE DOLLAR

I. SEIZED FUNDS

- A) Beginning Balance
Instructions: Include total amount of seized funds on hand (in your agency's possession) at the beginning of the reporting period including interest. Include funds that may have been forfeited but have not been transferred to your agency's forfeiture account. **Do not** include funds that are in an account held by another agency, e.g. a police department's account.
\$ _____
- B) Seizures During Reporting Period:
- 1) Amount Seized By Employees of Your Agency.....
Instructions: Include only those seizures which occurred during the reporting period and where the seizure affidavit required by Article 59.03 is sworn to by a peace officer employed by your agency.
\$ _____
- 2) Amount Seized by Other Agencies
Instructions: Include only amounts seized by other agencies in your jurisdiction and which have been transferred to your office for custody pending forfeiture.
\$ _____
- C) Forfeiture Petitions Filed For All Agencies You Represent
Instructions: Enter the **total amount** of seized funds for which forfeiture petitions were filed during the reporting period. Do not include amounts seized if a petition has not been filed. **Note:** this may include all or part of the funds listed in B above due to the 30 day limitations period on filing petitions. (This should be a currency amount, for example \$1,000).
\$ _____
- D) Forfeitures Pending For All Agencies You Represent
Instructions: Enter the **total amount** of seized funds at the end of the reporting period where a forfeiture petition has been filed but no final judgment has been entered. Include amounts subject to petitions filed in prior reporting periods. (This should be a currency amount, for example \$1,000).
\$ _____
- E) Interest Earned on Seized Funds During Reporting Period
Instructions: Include only the amount of interest earned on seized funds or funds that may have been forfeited but not yet transferred to your forfeiture account. Do not include interest earned on seized funds that are on deposit in an account that does not belong to your agency.
\$ _____
- F) Amount Returned To Defendants.
Instructions: If seized funds are returned to Defendants/Respondents please complete Schedule A for each case in which this applies. Make copies of the schedule and add additional sheets as necessary.
\$ _____

G) Ending Balance.....
Instructions: Add lines A, B(1), B(2) and E, subtract line F, place total in line G. \$

II. FORFEITED FUNDS

A) Beginning Balance.....
Instructions: Include total amount of forfeited funds that have been forfeited **to your agency** and are on hand (in your agency's account or in your agency's possession) at the beginning of the reporting period including interest. **Do not** include funds that have been forfeited but have not yet been received by your agency. \$

B) Amount Forfeited For All Agencies You Represent and Covered by Local Agreement
Instructions: Enter the **total amount** forfeited by all forfeiture judgments in your jurisdiction for the reporting year. Do not include judgments that are not yet final due to appeal or motions for new trial. Include interest that was forfeited as part of the judgment. \$

1) Amount Forfeited and Transferred to all Agencies Covered by Local Agreement.....
Instructions: Do not include amounts forfeited but not yet transferred to these agencies. Include interest that has been forfeited as part of the judgment. \$

2) Amount Forfeited and Received by Your Agency.....
Instructions: Do not include amounts forfeited but not yet received by your agency. Do not include amounts awarded to other agencies. Include interest that was forfeited as part of the judgment. \$

C) Interest Earned on Forfeited Funds During Reporting Period
Instructions: Include only the amount of interest earned on forfeited funds or interest earned on funds derived from the sale of forfeited property. Do not include interest amounts that were reported in line B2 above. Do not include interest earned if funds are on deposit in an account that does not belong to your agency. \$

D) Proceeds Received by Your Agency From Sale of Forfeited Property
Instructions: Include amounts received for all property sold during the reporting period, even if the subject property was forfeited in a prior reporting period. If property is returned to Defendants/Respondents please complete Schedule A for each case in which this applies. Make copies of the schedule and add additional sheets as necessary. \$

E) Total Expenditures of Forfeited Funds During Reporting Period
Instructions: From Total on Section VI. \$

F) Amount deposited to State Treasury to the Credit of the General Revenue Fund Due to Lack of Local Agreement (Art. 59.06(a))..... \$

G) Ending Balance.....
Instructions: Add lines A, B(2), C and D, subtract lines E and F, place total in line G \$

III. OTHER PROPERTY

Instructions: List the number of cases filed, pending, or disposed for the following categories. List as “pending” only cases where a petition was filed. List as “seized” only those seizures where a seizure is made by a peace officer employed by your agency. If property is sold list under “Proceeds Received by Your Agency from Sale of Forfeited Property” in Section II (D) in the reporting year in which the proceeds are received. If property is returned to Defendants/Respondents please complete Schedule A for each case in which this applies. Make copies of the schedule and add additional sheets as necessary.

Please Note: these should be a number, not a currency amount. For example: 4 pending, 3 seized, 12 new petitions, etc....	MOTOR VEHICLES (Include cars, motorcycles, tractor trailers, etc.)	REAL PROPERTY (Count each parcel seized as one item)	COMPUTERS (Include computer and attached system components, such as printers and monitors as one item)	FIREARMS (Include only firearms seized for forfeiture under Chpt. 59. Do not include weapons disposed of under Chpt. 18)	OTHER (Include description)
Pending for all agencies at beginning of reporting period:					
Seized by your agency during reporting period:					
New petitions filed for all agencies during reporting period:					
Forfeited to your agency during reporting period:					
Put into service by your agency during reporting period:					
Pending for all agencies at end of reporting period:					

IV. FORFEITED PROPERTY RECEIVED FROM ANOTHER AGENCY

Instructions: Enter the total number of items transferred to your agency where the forfeiture judgment awarded ownership of the property to another agency prior to the transfer.

- A) Motor Vehicles (the number of vehicles, not a currency amount)
- B) Real Property (the number of separate parcels of property, not a currency amount).....
- C) Computers (the number of computers, not a currency amount).....
- D) Firearms (the number of firearms, not a currency amount).....
- E) Other (the number of items not a currency amount).....

V. FORFEITED PROPERTY TRANSFERRED TO ANOTHER AGENCY

Instructions: Enter the total number of items transferred from your agency where the forfeiture judgment awarded ownership of the property to your agency prior to the transfer.

- A) Motor Vehicles (the number of vehicles, not a currency amount)

- B) Real Property (the number of separate parcels of property, not a currency amount).....
- C) Computers (the number of computers, not a currency amount).....
- D) Firearms (the number of firearms, not a currency amount).....
- E) Other (the number of items not a currency amount).....

VI. EXPENDITURES

Instructions: This category is for **Chapter 59 expenditures SOLELY for the official purposes of the office of the attorney representing the state** - not for expenditures made pursuant to your general budget. List the total amount expended for each of the following categories. If proceeds are expended for a category not listed, state the amount and nature of the expenditure under the Other Category.

- A) Total Salaries Paid out of Chapter 59 Funds..... \$
1. Increase of Salary, Expense, or Allowance for Employees (Salary Supplements)..... \$
2. Salary Budgeted Solely From Forfeited Funds..... \$
3. Number of employees Paid Using Forfeiture Funds
- B) Total Overtime Paid out of Chapter 59 Funds \$
1. For employees Budgeted by Governing Body..... \$
2. For Employees Budgeted Solely out of Forfeiture Funds..... \$
3. Number of employees Paid Using Forfeiture Funds.....
- C) Total Equipment Paid for with Chapter 59 Funds..... \$
1. Vehicles..... \$
2. Computers..... \$
3. Firearms, Vests, Personal Equipment
4. Furniture..... \$
5. Software..... \$
6. Maintenance Costs..... \$
7. Uniforms..... \$
8. K9 Related Costs
9. Other (Provide Detail on Additional Sheet)..... \$
- D) Total Supplies Paid Out of Chapter 59 Funds \$
1. Office Supplies
2. Cellular Air Time
3. Internet
4. Other (Provide Detail on Additional Sheet)..... \$
- E) Total Travel Paid Out of Chapter 59 Funds..... \$
1. In State Travel

	a) Hotel	\$
	b) Air Fare	\$
	c) Meals (including per diem)	\$
	d) Car Rental	\$
2.	Out of State Travel	
	a) Hotel	\$
	b) Air Fare	\$
	c) Meals (including per diem)	\$
	d) Car Rental	\$
3.	Fuel	\$
4.	Parking	\$
5.	Other (Provide Detail on Additional Sheet)	\$
F)	Total Training Paid Out of Chapter 59 Funds	\$
1.	Fees (Conferences, Seminars)	\$
2.	Materials (Books, CDs, Videos, etc.)	\$
3.	Other (Provide Detail on Additional Sheet)	\$
G)	Total Investigative Costs Paid Out of Chapter 59 Funds	\$
1.	Informant Costs	\$
2.	Buy Money	\$
3.	Lab Expenses	\$
4.	Other (Provide Detail on Additional Sheet)	\$
H)	Total Prevention / Treatment Programs/ Financial Assistance (pursuant to Articles 59.06 (h), (I), (j), (n))	\$
I)	Total Facility Costs Paid Out of Chapter 59 Funds	\$
1.	Building Purchase	\$
2.	Lease Payments	\$
3.	Remodeling	\$
4.	Maintenance Costs	\$
5.	Utilities	\$
6.	Other (Provide Detail on Additional Sheet)	\$
J)	Total Miscellaneous Fees Paid Out of Chapter 59 Funds	\$
1.	Court Costs	\$
2.	Filing Fees	\$
3.	Insurance	\$

4.	Witness Fees	\$ _____
5.	Audit Costs and Fees	\$ _____
6.	Other (Provide Detail on Additional Sheet)	\$ _____
K)	Total Other Paid Out of Chapter 59 Funds (provide detailed descriptions on additional sheet(s) and attach to this report)	\$ _____
L)	TOTAL EXPENDITURES	\$ _____

**BOTH THE COMMISSIONERS COURT AND ATTORNEY REPRESENTING THE STATE
CERTIFICATIONS NEED TO BE COMPLETED**

NOTE: ART. 5.06(g)(1) requires the Commissioners Court to perform the audit. Therefore, each Commissioners Court in a Multi-County jurisdiction is required to perform the audit. For convenience, this form allows for certification by all counties in a multi-county jurisdiction

CERTIFICATION

COUNTY JUDGE (Printed Name): _____

SIGNATURE: _____

COUNTY: _____

DATE: _____

I swear or affirm that the Commissioners Court has conducted the audit required in Article 59.06 of the Code of Criminal Procedure and that upon diligent inspection of all relevant documents and supporting materials, I believe that the asset forfeiture report is true and correct and contains all information required under Article 59.06 of the Code of Criminal Procedure.

SWORN TO AND SUBSCRIBED before me this ____ day of _____, 20____.

Notary Public in and for the State of Texas

CERTIFICATION

COUNTY JUDGE (Printed Name): _____

SIGNATURE: _____

COUNTY: _____

DATE: _____

I swear or affirm that the Commissioners Court has conducted the audit required in Article 59.06 of the Code of Criminal Procedure and that upon diligent inspection of all relevant documents and supporting materials, I believe that the asset forfeiture report is true and correct and contains all information required under Article 59.06 of the Code of Criminal Procedure.

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20_____.

Notary Public in and for the State of Texas

CERTIFICATION

COUNTY JUDGE (Printed Name): _____

SIGNATURE: _____

COUNTY: _____

DATE: _____

I swear or affirm that the Commissioners Court has conducted the audit required in Article 59.06 of the Code of Criminal Procedure and that upon diligent inspection of all relevant documents and supporting materials, I believe that the asset forfeiture report is true and correct and contains all information required under Article 59.06 of the Code of Criminal Procedure.

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20_____.

Notary Public in and for the State of Texas

CERTIFICATION

COUNTY JUDGE (Printed Name): _____

SIGNATURE: _____

COUNTY: _____

DATE: _____

I swear or affirm that the Commissioners Court has conducted the audit required in Article 59.06 of the Code of Criminal Procedure and that upon diligent inspection of all relevant documents and supporting materials, I believe that the asset forfeiture report is true and correct and contains all information required under Article 59.06 of the Code of Criminal Procedure.

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20_____.

Notary Public in and for the State of Texas

CERTIFICATION

COUNTY JUDGE (Printed Name):

SIGNATURE:

COUNTY:

DATE:

I swear or affirm that the Commissioners Court has conducted the audit required in Article 59.06 of the Code of Criminal Procedure and that upon diligent inspection of all relevant documents and supporting materials, I believe that the asset forfeiture report is true and correct and contains all information required under Article 59.06 of the Code of Criminal Procedure.

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20_____.

Notary Public in and for the State of Texas

CERTIFICATION

ATTORNEY REPRESENTING THE
STATE (Printed Name):

SIGNATURE:

DATE:

I swear or affirm, under penalty of perjury, that I have accounted for the seizure, forfeiture, receipt, and specific expenditure of all proceeds and property subject to Chapter 59 of the Code of Criminal Procedure, and that upon diligent inspection of all relevant documents and supporting materials, I believe that this asset forfeiture report is true and correct and contains all information required under Article 59.06 of the Code of Criminal Procedure. I further swear or affirm that all expenditures reported herein were lawful and proper, and were made in accordance with Texas law.

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20_____.

Notary Public in and for the State of Texas

RETURN COMPLETED FORM TO: Office of the Attorney General
Criminal Prosecutions Division
P.O. Box 12548
Austin, TX 78711-2548
Attn: Kent Richardson
(512)936-1348
FAX (512)494-8283
E-mail: kent.richardson@oag.state.tx.us

rence.gray@oag.state.tx.us